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(SPACE BELOW FOR FILING STAMP ONLY)

Attorneys for Plaintiff, CHRISTOPHER LEE DUNN

7 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
8 FOR THE COUNTY OF LOS ANGELES - CENTRAL DISTRICT

9 CHRISTOPHER LEE DUNN,  
10  
11 Plaintiff,

12 -vs-

13 CITY OF BURBANK; DENNIS A. BARLOW;  
14 AND DOES 1 THROUGH 25, INCLUSIVE.  
15 Defendants.

CASE NO.: BC 418 792

APPLICATION FOR ORDER SEALING  
DOCUMENTS FILED CONDITIONALLY  
UNDER SEAL

Date: October 6, 2009  
Time: 8:30 a.m.  
Dept.: 40

Complaint Filed: July 28, 2009

Assigned to: Department 40

19  
20 Plaintiff, Christopher Lee Dunn, pursuant to California Rules of Court, Rule 2.551 et seq.,  
21 hereby applies for an order sealing the documents lodged concurrently herewith in the manner  
22 provided for in Rule 2.551(d)(1). The documents so lodged are already in the possession of the  
23 defendants and are being served on defendants in accordance with Rule 2.551(b)(2).

24 This application is based on the attached Memorandum and Declaration.

25 Dated: September 25, 2009

LAW OFFICES OF RHEUBAN & GRESEN

26  
27 By:   
28 ROBERT C. HAYDEN, Esq.  
Attorneys For Plaintiff, CHRISTOPHER LEE DUNN

1 **MEMORANDUM IN SUPPORT OF APPLICATION**

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3 The two documents that are the subject of this Application are personnel record relating to  
4 Plaintiff, Christopher Lee Dunn. It is well settled that peace officers, like other employees in the  
5 State of California, have a privacy interest in their employment records. See, e.g., People v. Mooc  
6 (2001) 26 Cal.4th 1216, 1220 (statutory scheme recognizes a peace officer's "legitimate expectation  
7 of privacy in his or per personnel records"). Because the documents filed conditionally under seal are  
8 confidential personnel records subject to the right of privacy under California law, Plaintiff makes  
9 this application for an order sealing the documents.

10  
11 Dated: September 25, 2009

**LAW OFFICES OF RHEUBAN & GRESEN**

12  
13 By: Robert C. Hayden  
14 ROBERT C. HAYDEN, Esq.  
15 Attorneys For Plaintiff, CHRISTOPHER LEE DUNN  
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**DECLARATION IN SUPPORT OF APPLICATION**

I, Robert C. Hayden, declare:

1. I am an attorney in the law firm of Rheuban & Gresen, counsel of record for the plaintiff, Christopher Lee Dunn in this litigation and, as such, I have personal knowledge of the matters set forth herein.

2. The documents filed conditionally under seal concurrently herewith are confidential personnel records relating to plaintiff Christopher Lee Dunn, and such personnel records are confidential and protected under right of privacy established by the California state constitution and applicable case law. Accordingly, Plaintiff makes this application for an order sealing the document.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

  
ROBERT C. HAYDEN, Esq.